

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gregory A. Demopoulos et al. Attorney Docket No. PH.1.0017.US2
(OMER117356)
Application No.: 09/839,633 Group Art Unit: 1646
Filed: April 20, 2001 Examiner: Eileen B. O'Hara
Title: METHOD OF INHIBITION OF PAIN AND INFLAMMATION DURING SURGERY
COMPRISING ADMINISTRATION OF SOLUBLE TNF RECEPTORS (As
Amended)

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING

REJECTION OVER PRIOR PATENTS

TO THE COMMISSIONER FOR PATENTS:

Your petitioner, Omeros Corporation, having a principal place of business at 1420 Fifth Avenue, Suite 2600, Seattle, Washington 98101, represents that it is owner of the entire right, title and interest in the above application by an assignment from the inventor(s) of the patent application identified above. The assignment to Omeros Medical Systems, Inc. was recorded in the U.S. Patent and Trademark Office at Reel 012076, Frame 0551 and a subsequent change of name to Omeros Corporation was recorded at Reel 012916, Frame 0530.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer of prior U.S. Patent No. 6,261,279, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to prior U.S. Patent

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No. 6,261,279, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of prior U.S. Patent No. 6,261,279, in the event that said prior U.S. Patent No. 6,261,279, later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.


The undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

The terminal disclaimer fee of \$55 under 37 C.F.R. § 1.20 is included.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

OMEROS CORPORATION

April 12, 2004
Date


Name: Marcia S. Kelbon
USPTO Reg. No. 34,358
Title: Vice President, Patent & General Counsel

MSK:sj